

FIRST REGULAR SESSION

SENATE BILL NO. 113

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

Pre-filed December 1, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

0375S.011

AN ACT

To repeal section 590.653, RSMo, and to enact in lieu thereof one new section relating to civilian review boards.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 590.653, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 590.653, to read as follows:

590.653. 1. Each city, county and city not within a county may establish a civilian review board, or may use an existing civilian review board which has been appointed by the local governing body, with the authority to investigate allegations of misconduct by local law enforcement officers towards members of the public. The members shall not receive compensation but shall receive reimbursement from the local governing body for all reasonable and necessary expenses.

2. The board shall have the power to receive[,] and investigate **complaints, conduct evidentiary hearings**, make findings and recommend disciplinary action upon complaints by members of the public against members of the police department that allege misconduct involving excessive use of force, abuse of authority, **racial profiling**, discourtesy, or use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and disability. **The board may subpoena witnesses, administer oaths, require the production of books, papers, accounts, documents, and other records or material of any evidentiary nature, and may examine witnesses in any investigation or proceeding authorized pursuant to subsection 1 of this section.** All local law enforcement agencies and all employees of such agencies in any jurisdiction that has a civilian review board shall cooperate fully in all regards with the civilian review board. The findings and recommendations of the board, and the basis therefor, shall be submitted to the chief law enforcement official. No

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

finding or recommendation shall be based solely upon an unsworn complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be the basis for any such findings or recommendations.

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